

S/N NEW FILING

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|             |                                      |                 |             |
|-------------|--------------------------------------|-----------------|-------------|
| Applicant:  | ALFERNESS ET AL.                     | Examiner:       | UNKNOWN     |
| Serial No.: | NEW FILING                           | Group Art Unit: | UNKNOWN     |
| Filed:      | HEREWITH                             | Docket No.:     | 11998.SUSC9 |
| Title:      | CARDIAC DISEASE TREATMENT AND DEVICE |                 |             |

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV372670480US

Date of Deposit: March 26, 2004

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, Mail Stop Patent Application, P.O. Box 1450, Alexandria, VA 22313-1450.

By: Teresa Anderson  
Name: Teresa Anderson

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application, which is not an application under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.98(d), a copy of each document or other information listed on the enclosed Form 1449 is not provided because it was previously cited by or submitted to the U.S. Patent and Trademark Office in parent application, U.S. Serial No. 09/880,576 filed on June 13, 2001.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a

reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

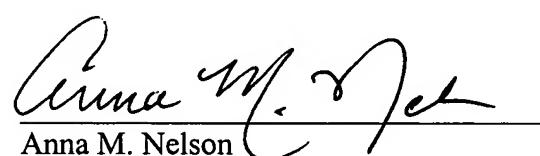
Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P. O. Box 2903  
Minneapolis, Minnesota 55402-0903  
612.332.5300

Date March 26, 2004



Anna M. Nelson  
Reg. No. 48,935  
AMN:PLStdM



|   |  |                               |                                   |
|---|--|-------------------------------|-----------------------------------|
| <b>FORM 1449*</b><br><b>INFORMATION DISCLOSURE STATEMENT</b>  |  | Docket Number:<br>11998.5USC9 | Application Number:<br>NEW FILING |
| <b>IN AN APPLICATION</b><br>(Use several sheets if necessary) |  | Applicant: ALFERNESS ET AL.   |                                   |
|   |  | Filing Date: HEREWITH         | Group Art Unit: UNKNOWN           |

| U.S. PATENT DOCUMENTS |              |            |                   |       |          |                            |
|-----------------------|--------------|------------|-------------------|-------|----------|----------------------------|
| EXAMINER INITIAL      | DOCUMENT NO. | DATE       | NAME              | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|                       | 3,983,863    | 10/05/1976 | Janke et al.      |       |          |                            |
|                       | 4,048,990    | 09/20/1977 | Goetz             |       |          |                            |
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|                       | 5,507,779    | 04/16/1996 | Altman            |       |          |                            |

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|---|-----------------|
| EXAMINER  | DATE CONSIDERED |
| EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant. |                 |

|  |  |  |                               |                                   |
|--|--|--|-------------------------------|-----------------------------------|
| FORM 1449*<br>INFORMATION DISCLOSURE STATEMENT<br><br>IN AN APPLICATION<br><br>(Use several sheets if necessary) |  |  | Docket Number:<br>11998.SUSC9 | Application Number:<br>NEW FILING |
|  |  |  | Applicant: ALFERNESS ET AL.   |                                   |
|  |  |  | Filing Date: HEREWITH         | Group Art Unit: UNKNOWN           |

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|  | DOCUMENT NO.     | DATE     | COUNTRY                    | CLASS | SUBCLASS | TRANSLATION   |    |
|--|------------------|----------|----------------------------|-------|----------|---------------|----|
|  |                  |          |                            |       |          | YES           | NO |
|  | DE 295 17 393 U1 | 03/14/96 | Germany (English Language) |       |          |               |    |
|  | DE 295 17 393 U1 | 03/14/96 | Germany (German Language)  |       |          |               |    |
|  | EP 0 280 564     | 08/31/88 | EP                         |       |          |               |    |
|  | JP 01-145066     | 06/07/89 | Japan                      |       |          | Abstract Only |    |
|  | JP 60203250      | 10/14/85 | Japan                      |       |          | Non           |    |

|   |                 |
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|  |  |  |  | Filing Date: HEREWITH         | Group Art Unit: UNKNOWN           |

|  |              |          |                        |  |  | certified     |  |
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|  | WO 98/29401  | 07/09/98 | PCT                    |  |  |               |  |
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PATENT TRADEMARK OFFICE

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